

94

REVIEW BY FORT BEND COUNTY COMMISSIONERS COURT

On this 2 day of NOVEMBER, 2010, before the Fort Bend Commissioners Court came on to be heard and reviewed the accompanying notice of GORDY OIL COMPANY

Job Location BATTLE

Dated 10/25/10 BOND NO ^{LB}RBL0013495 Permit No. 83845
to make use of certain Fort Bend County property subject to, "A Revised Order Regulating the Laying, Construction, Maintenance, and Repair of Buried Cables, Conduits, and Pole Lines, In, Under, Across or Along Roads, Streets, Highways, and Drainage Ditches in Fort Bend County, Texas, Under the Jurisdiction of the Commissioners Court of Fort Bend County, Texas," as passed by the Commissioners Court of Fort Bend County, Texas, date the 3rd day of August, 1987, recorded in Volume _____ of the Minutes of the Commissioners Court of Fort Bend County, Texas, to the extent that such order is not inconsistent with Article 1436a, Vernon's Texas Civil Statutes. Upon Motion of Commissioner Meyers, seconded by Commissioner Patterson, duly put and carried, it is ORDERED, ADJUGED AND DECREED that said notice of said above purpose is hereby acknowledged by the Commissioners Court of Fort Bend County, Texas, and that said notice be placed on record according to the regulation order thereof.

Notes:

1. Evidence of review by the Commissioners Court must be kept on the job site and failure to do so constitutes grounds for job shutdown.
2. Written notices are required:
 - a. 48 hours in advance of construction start up, and
 - b. When construction is completed and ready for final inspection

Mail notices to: Permit Administrator
Fort Bend County Engineering
P.O. Box 1449
Rosenberg, Texas 77471
281-633-7500

3. This permit expires one (1) year from date of permit if construction has not commenced.

By

[Signature]
County Engineer

By

[Signature]
Drainage District Engineer/Manager

Presented to Commissioners Court
and approved.

Recorded in Volume 11-2-10
Minutes of Commissioners Court.

Clerk of Commissioners Court

By [Signature]
Deputy

**PERFORMANCE BOND COVERING ALL CABLE, CONDUIT AND/OR POLE LINE
ACTIVITY IN, UNDER, ACROSS OR ALONG FORT BEND COUNTY ROADS**

AUTHORIZED

BOND NO RLB0013495

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND §

THAT WE, Gordy Oil Company whose address is 100 Waugh Dr., Suite 400, Houston, TX 77007, Texas, hereinafter called the Principal, and RLI Insurance Company, a Corporation existing under and by virtue of the laws of the State of Illinois and authorized to do an indemnifying business in the State of Texas, and whose principal office is located at 9025 N. Lindbergh Dr., Peoria, IL 61615, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought within said State is Roy C. Die and whose address is 8 Greenway Plaza, #400, Houston, TX 77046, hereinafter called the Surety, and held and firmly bound unto, Robert E. Hebert, County Judge of Fort Bend County, Texas, or his successors in office, in the full sum of Five Thousand----- Dollars (\$5,000.00-) current, lawful money of the United States of America, to be paid to said Robert E. Hebert, County Judge of Fort Bend County, Texas, or his successors in office, to which payment well and truly to be made and done, we, the undersigned, bind ourselves and each of us, our heirs, executors, administrators, successors, assigns, and legal representatives, jointly and severally, by these presents.

THE CONDITION OF THIS BOND IS SUCH THAT, WHEREAS, the above bounden principal contemplates laying, constructing, maintaining and/or repairing one or more cables, conduits, and/or pole lines in, under, across and/or along roads, streets and highways in the County of Fort Bend, and the State of Texas, under the jurisdiction of the Commissioners' Court of Fort Bend County, Texas, pursuant to the Commissioners' Court order adopted on the 1st day of December, A.D. 1980, recorded in Volume 13, of the Commissioners' Court Minutes of Fort Bend County, Texas, regulating same, which Commissioners' Court order is hereby referred to and made a part hereof for all purposes as though fully set out herein;

AND WHEREAS, the principal desires to provide Fort Bend County with a performance bond covering all such cable, conduit and/or pole line activity;

NOW, THEREFORE, if the above bounden principal shall faithfully perform all its cable, conduit and/or pole line activity (including, but not limited to the laying, construction, maintenance and/or repair of cables, conduits and/or pole lines) in, under, across and/or along roads, streets and highways in the County of Fort Bend and State of Texas, under the jurisdiction of the Commissioners Court of Fort Bend County, Texas, pursuant to and in accordance with minimum requirements and conditions of the above mentioned Commissioners' Court order set forth and specified to be by said principal done and performed, at the time and in the manner therein specified, and shall pay over and make good and reimburse Fort Bend County, all loss and damages which Fort Bend County may sustain by reason of any failure or default on the part of said principal, then this obligation shall be null and void, otherwise to remain in full force and effect.

This bond is payable at the County Courthouse in the County of Fort Bend and State of Texas.

It is understood that at any time Fort Bend County deems itself insecure under this bond, it may require further and/or additional bonds of the principal.

EXECUTED this 19th day of October, 2010.

Gordy Oil Company

PRINCIPAL

BY Thomas Speck
VICE PRESIDENT

RLI Insurance Company

SURETY

BY Roy C. Die, Attorney-in-Fact



RLB0013495

RLI Surety
A division of RLI Insurance Company

POWER OF ATTORNEY

RLI Insurance Company

Know All Men by These Presents:

That the RLI INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Illinois, and authorized and licensed to do business in all states and the District of Columbia does hereby make, constitute and appoint: ROY C. DIE in the City of HOUSTON, State of TEXAS, as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, all of the following classes of documents to-wit:

\$5,000.00

Indemnity, Surety and Undertakings that may be desired by contract, or may be given in any action or proceeding in any court of law or equity; policies indemnifying employers against loss or damage caused by the misconduct of their employees; official, bail and surety and fidelity bonds. Indemnity in all cases where indemnity may be lawfully given; and with full power and authority to execute consents and waivers to modify or change or extend any bond or document executed for this Company, and to compromise and settle any and all claims or demands made or existing against said Company.

The RLI INSURANCE COMPANY further certifies that the following is a true and exact copy of a Resolution adopted by the Board of Directors of RLI Insurance Company, and now in force to-wit:

"All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or Agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers-of-Attorney, or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

(Blue shaded areas above indicate authenticity)

IN WITNESS WHEREOF, the RLI Insurance Company has caused these presents to be executed by its PRESIDENT with its corporate seal affixed this

ATTEST:

Jean M. Stephenson
CORPORATE SECRETARY

State of Illinois)
County of Peoria) SS



Michael J. Stone
PRESIDENT

On this 19 day of Oct. 2010 before me, a Notary Public, personally appeared Michael J. Stone and Jean M. Stephenson, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as President and Corporate Secretary, respectively, of the said RLI INSURANCE COMPANY, and acknowledged said instrument to be the voluntary act and deed of said corporation.

Cherie L. Montgomery
Notary Public



SPA025 (02/08)

COUNTY OF FORT BEND

Engineering Department

P.O. BOX 1449
Rosenberg, Texas 77471-1449

Johnny Ortega
Permit Administrator

1124 Blume Road
Phone: (281) 341-7500

PERMIT APPLICATION REVIEW FORM FOR CABLE, CONDUIT, AND POLE LINE ACTIVITY IN FORT BEND COUNTY

PERMIT NO. 083845

The following "Notice of Proposed Cable, Conduit, and/or Pole Line activity in Fort Bend County" and accompanying attachments have been reviewed and the notice conforms to appropriate regulations set by Commissioner's Court of Fort Bend County, Texas.

- X (1) Complete Application Form.
- X a. Name of road, street, and/or drainage ditch affected.
 - X b. Vicinity map showing course of direction.
 - c. Plans and specifications.

- (2) Bond:
- District Attorney, approval when applicable.
 - Perpetual bond currently posted.
 - No.
 - Amount
 - X Performance bond submitted.
 - No. RBL0013495
 - Amount \$5,000.00
 - Cashier's Check.
 - No.
 - Amount

- (3) Verbal permission given for emergencies, to start construction before approved in Commissioner's Court.

 Precinct Engineer Acknowledgment


 Date

 Precinct Commissioner Acknowledgment

 Date

- (4)
- Drainage District Approval when applicable

We have reviewed this project and agree it meets minimum requirements.


Johnny Ortega CFM Permit Administrator
(REVISED 5/30/08)

10/25/2010
Date

Traffic Control Plan

Re: Gordy Oil Company Pipeline bore under Battle Road

We will bore from private property under the road to private property.

we will not be affecting traffic

**NOTICE OF PROPOSED CABLE, CONDUIT AND/OR POLE LINE ACTIVITY
IN, UNDER, ACROSS OR ALONG ROADS, STREETS, HIGHWAYS AND DRAINAGE DITCHES
IN FORT BEND COUNTY**

APPLICANT'S JOB NO. _____
 PERMIT No. 83845 PCT. No. 1
 BOND No. RLB 0013495

Formal notice is hereby given that Gordy Oil Company
 proposes to lay, construct, maintain and/or repair cable, conduit and/or pole line, in, under,
 across, or along roads, streets, highways and drainage ditches in Fort Bend County, as follows:

In, Under, or Across Roads and/or Drainage Ditches

Road or Ditch Name	Distance & Direction From Nearest Intersection	Length of Crossing	Type of Construction			
			Bored:	Jacked:	Driven:	Cased
Battle Road	0.4 miles SW of W. Tavenner Rd	60ft	X			

Along Roads and/or Drainage Ditches

Road or Ditch Name	Distance & Direction From Nearest Intersection	To	Distance

General Description

The Location and description of the proposed installation and appurtenances is more fully shown on the attached detail drawings. The laying, construction, maintenance and/or repair of the proposed installation shall be subject to "A Revised Order Regulating the Laying, Construction, Maintenance and/or Repair of Cables, Conduits, and/or Pole Lines, In, Under, Across, or Along Roads, Streets, Highways and Drainage Ditches in Fort Bend County, Texas, Under the Jurisdiction of the Commissioners Court of Fort Bend County, Texas," as passed by Commissioners Court of Fort Bend County, Texas, dated the 3rd. day of August, 1987, recorded in Volume 639 of the Minutes of the Commissioners Court of Fort Bend County, Texas.

Written notices are required: 1) 48 hours in advance of start of construction and
 2) when construction is complete and ready for final inspection.

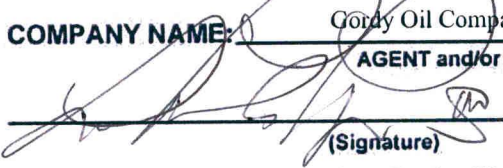
Mail to: Permit Administrator/Fort Bend County Engineering
 P.O. Box 1449, Rosenberg, TX 77471.

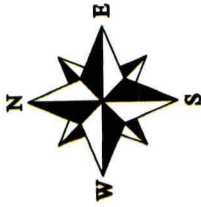
Violation of requirements shall constitute grounds for job shut down.

**Does project
comply with Fort
Bend County
Outdoor Lighting
Ordinance?**

Yes (X)

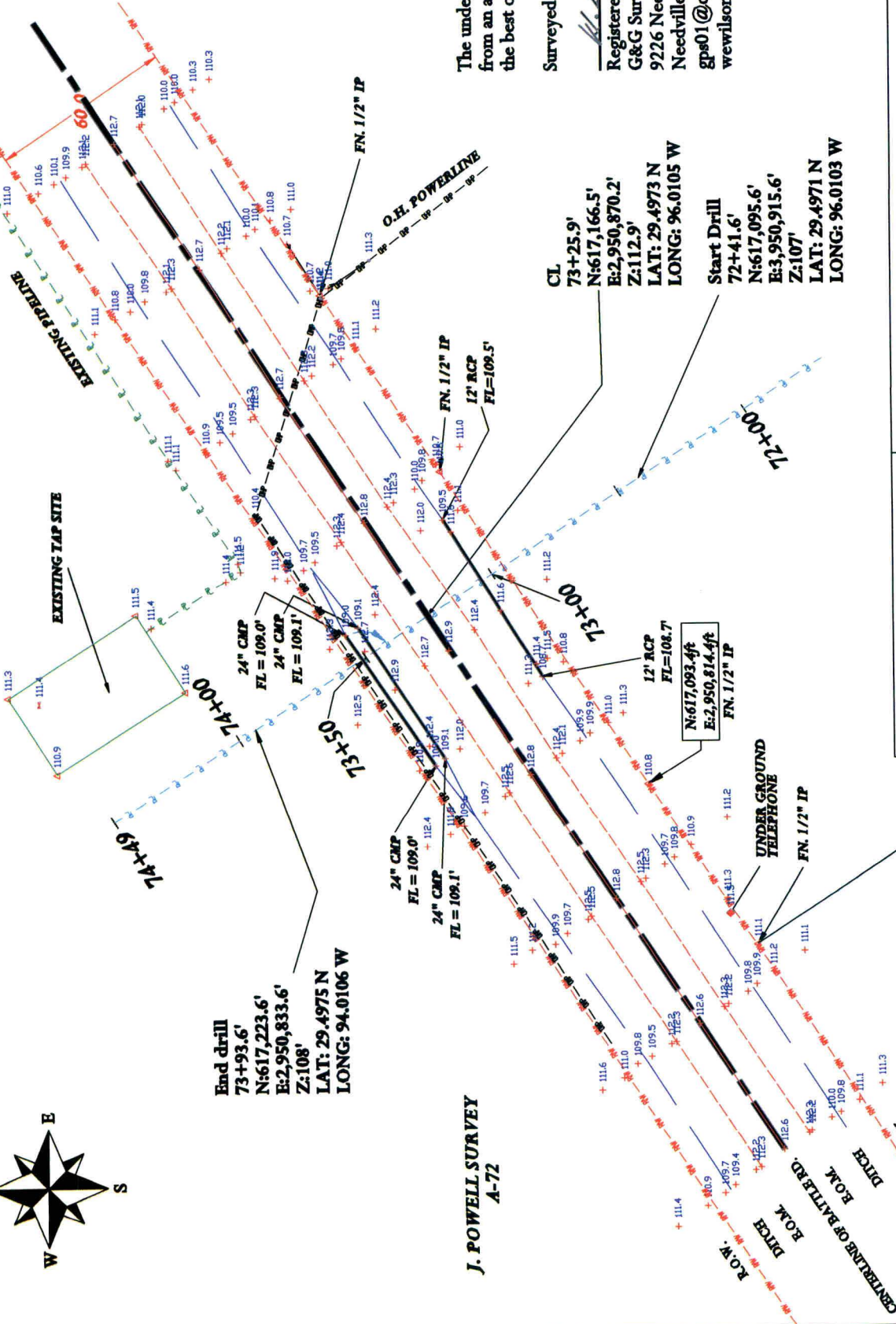
No ()

COMPANY NAME: Gordy Oil Company
AGENT and/or OWNER

 (Signature)
NAME & TITLE S. Lanham Frazier, III, Agent
 (Please Print)
DATE October 22, 2010
ADDRESS 100 Waugh, Suite 400
 (Street/P.O. Box)
Houston TX 77007
City State Zip
TELEPHONE NO: 281-455-0552
 (accessible 24 hrs/day, 7 days/week)



End drill
73+93.6'
N:617,223.6'
E:2,950,833.6'
Z:108'
LAT: 29.4975 N
LONG: 94.0106 W

J. POWELL SURVEY
A-72



CL
73+25.9'
N:617,166.5'
E:2,950,870.2'
Z:112.9'
LAT: 29.4973 N
LONG: 94.0105 W

Start Drill
72+41.6'
N:617,095.6'
E:3,950,915.6'
Z:107'
LAT: 29.4971 N
LONG: 96.0103 W

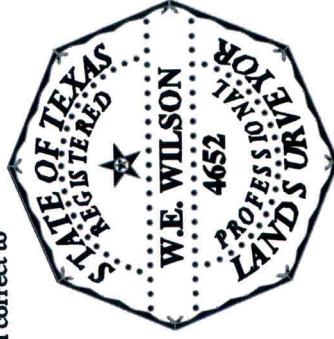
NO SCALE

VICINITY MAP (KEY MAP SQ. L,G PG 640)

The undersigned does hereby certify that this plat was under my supervision from an actual survey made on the ground and that same true and correct to the best of my knowledge.

Surveyed on the ground October 14 and 15, 2010

W. E. Wilson
(W. E. Wilson)
Registered Professional Land Surveyor No. 4652
G&G Survey and Consulting, Inc.
9226 Needville Fairchilds
Needville, Texas 77461
gps01@comcast.net
wewilson_1@yahoo.com



NOTE: ALL THE HORIZONTAL CONTROL IS REFERRED TO THE TEXAS PLANE COORDINATE SYSTEM, LAMBERT PROJECTION, TEXAS SOUTH CENTRAL ZONE, NAD 27.

NOTICE		THIS DRAWING		ISSUED FOR	
<input checked="" type="checkbox"/>	INFORMATION/REFERENCE	<input type="checkbox"/>	APPROVAL	<input type="checkbox"/>	PROCUREMENT
<input type="checkbox"/>	CONSTRUCTION/FABRICATION	<input type="checkbox"/>	BID	<input type="checkbox"/>	

Gordy Oil Company

100 WAUGH STREET, SUITE 400

HOUSTON, TEXAS 77007

P.L. X-ING BATTLE ROAD
PROPOSED 3-1/2" OD PIPELINE

DRAWN	DATE	BY	DATE	BY	DATE
GPY	10/21/2010	GPY	10/21/2010	W.E.W.	10/21/2010



J. M. Mc CORMICK SURVEY
A-57

SITE PLAN

IN THE J. M. Mc CORMICK SURVEY, A-57 & THE
J. POWELL SURVEY, A-72
FORT BEND COUNTY, TEXAS

SCALE	1" = 50'	FEMAL MAP NUMBER	4815700325 J	DATE	JANUARY 3, 1997	ZONE	X
REV.							1

START DRILL



NOTICE THIS DRAWING BEING FOR:		Gordy Oil Company WAUGH STREET, SUITE 400 HOUSTON, TEXAS 77007		PROFILE PLAN	
<input checked="" type="checkbox"/> INFORMATION/REFERENCE <input type="checkbox"/> APPROVAL <input type="checkbox"/> PROCUREMENT <input type="checkbox"/> BID <input checked="" type="checkbox"/> CONSTRUCTION/FABRICATION		PROPOSED 3-1/2" OD PIPELINE CROSSING OF BATTLE ROAD		PROJECT: IN THE J. M. Mc CORMICK SURVEY, A-57 & THE J. POWELL SURVEY, A-72 FORT BEND COUNTY, TEXAS	
		DRAFTING		SCALE	
		DESIGNED BY: GPT DATE: 10/21/2010	REVIEWED BY: W.E.W. DATE:	REV. 1	
		SHEET 2 OF 2			